Liberty

NOT THE DAUGHTER BUT THE MOTHER OF ORDER — PROUDHON

Vol. X.—No. 20. NEW YORK, N. Y., FEBRUARY 9, 1895. Whole No. 306.

"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."
John Hay.

On Picket Duty.

If the owner or custodian of the manuscripts left by the late T. L. M'Cready will put himself into communication with the editor of Liberty, he will hear of something to his advantage. Can any reader of Liberty tell me who has the manuscripts? I am informed that Mr. J. W. Sullivan probably knows. Any reader knowing Mr. Sullivan's address will confer a favor by sending this paragraph to him.

Mr. Lloyd seems to think (see sixth page) that I have denied the right of privacy. Not so. I admit that it is perfectly legitimate for any one to charge a fee for entrance to grounds in which he can maintain a property right. In commenting on Mr. Lloyd's article on "Game and Forests" I meant simply to question whether even one man would be found on an Anarchistic jury who would award protection to any individual in the possession of a tract of land large enough to merit the title of "game preserve." It is my conviction that in a state of Anarchy the man who wants to preserve game will have to do it within ordinary farming limits, and that the hunter who seeks game on vacant land will not be protected in the possession of any very large portion of such land which he may "mark off" for sporting purposes. His relation to such land will be very much the same as that of the fisherman to the sea. In the matter of warfare upon nature I am largely with Mr. Lloyd. But I am not with him for the retention of those laws which prevent me from warring upon nature during six months of the year in order that there may be more abundant material upon which he may war during the other six months. Furthermore, I do not base my warfare upon nature on the ground that animals have no rights that I am bound to respect; for that implies that men have rights that I am bound to respect, — which I do not admit. I am Anarchist with men, because I can use men to greater advantage by coming to terms with them. Animals I can use to greater advantage by tyrannizing over them, and therefore with animals I am Archist. Not, however, that species of Archist which "*enjoys* killing." Mr. Lloyd, by his own confession, loves to kill. By his own confession, then, he is a cruel man; and no preaching of the gospel of gentleness on the one hand, or of the necessity of butchery on the other, can ever put a gloss upon the ugly fact. A sympathetic nature, guided by will and wisdom, may impel a man to become a butcher or a surgeon; but that same sympathetic nature *must* prevent him from becoming a sportsman, or from *enjoying* either butchery or surgery. Mr. Lloyd is a sportsman, and therefore cruel; let him not plead the miserable excuse that he is a butcher. If, in retort, he should remind me, as well he may, that my own nature is not of peculiarly sympathetic quality, I should answer him, first, that I know it; second, that I have never claimed to be gentle; and, third, that my vice does not make his vice virtue.

Mr. Phipson, who writes on rent and interest in another column, is wrong in thinking that his criticisms of the occupancy-and-use theory have not been previously offered and discussed in Liberty. Not only by Mr. Byington in the discussion now in progress, but by the same writer in a previous discussion, and by several other writers, have the points been raised that the term "use" will require definition, and that, whatever its definition, its adoption as the only basis of land-ownership will not destroy economic rent. To the first of these points it has been answered repeatedly that, after the restoration of the original jury trial, when laws shall be nothing more than suggestions for the guidance of juries, no possessor of land will be ousted as a non-user, unless it shall be the unanimous opinion of twelve jurors drawn by lot that he is a non-user; in other words, that, unless the case against the possessor is so clear and indubitable that not one of the twelve, after listening to the evidence, to expert opinion, and to arguments of advocates, ventures to claim that he is a user of the land in question, he will be protected in his possession. If, before the restoration of jury trial, the law should recognize occupancy and use as the sole title to land, it might content itself with the simple employment of these terms in the statute, still leaving the jury to define them; or it might place a limit upon their meaning which would leave a certain discretion to the jury within that limit; or it might attempt a rigidly strict construction, which the jury must in any case accept. It might fix a maximum of land-area, in the possession of more than which, for any purpose, no individual should be protected, or it might fix one maximum for one kind of use and another for another. Or it might choose other methods of limitation. The statutes are necessarily full of terms that require interpretation, such as "disorderly conduct," "public nuisance," and others. No one denies in any of these cases that the impossibility of precise definition presents a difficulty. No one denies, either, that a similar difficulty confronts the believers in the occupancy-and-use theory. But, if the principle be sound, it is necessary to accept it, and then surmount the difficulty in the best way possible. The objection raised by Mr. Phipson is one of administrative detail. The objection to Dr. Hertzka's plan is of a much more serious character. If I have planted a choice half-acre with potatoes to its full capacity, it is an impossibility for another to step in and raise potatoes or anything else on it at the same time; and, if I must give half my crop to another, then there exists precisely that "compulsory division of goods" which, according to Mr. Phipson, "genuine Anarchist-Communists" reject. And how vastly the difficulty increases (if an impossibility can increase) as soon as everybody attempts to use this choice half-acre! Yet, at any point short of this, economic rent exists, and Dr. Hertzka's absolute equality is not achieved. The advocate of occupancy and use does not insist on an equality so absolute. He admits the reality of economic rent, and claims for occupancy and use only that it will destroy monopolistic rent, and, with the aid of free money, will create conditions under which economic rent will tend to decrease. My criticism of Henry George, to which Mr. Phipson refers, was directed at his claim that it was enough to abolish land monopoly, and hence unnecessary to abolish money monopoly. I would make the same criticism, not only against the Single Taxer, but against an advocate of the occupancy-and-use theory who should deny the necessity of free banking. Mr. Phipson carries coals to Newcastle when he labors to convince me that the borrower of such capital as is subject to decay should be rewarded for protecting it against decay. It has always been a part of Liberty's economics that, where perishable capital is loaned, strict justice requires the lender to reward the borrower. It is possible that I have said somewhere in my writings that justice requires only the return of the principle intact, but, if so, it was because I had only money-lending in mind. Free and mutual banking will practically confine all capital-lending to the form of money-lending. Now, the face value of mutual money is not subject to decay. The property that secures it may decay, but, as this property belongs to the borrower of the money, he alone suffers from its decay; since, by the theory of mutual banking, the security exceeds in value the face of the money lent against it sufficiently to protect the lender against loss through depreciation thereof. In conclusion it may be said that Mr. Phipson's criticisms show that his examination of Anarchistic literature has been incomplete, careless, or unintelligent.

Liberty.

Issued Fortnightly at Two Dollars a Year; Single Copies, Eight Cents.

BENJ. R. TUCKER, EDITOR AND PUBLISHER.

Office of Publication, 120 Liberty Street.
Post Office Address: LIBERTY, P. O. Box No. 1312, New York, N. Y.

Entered at New York as Second-Class Mail Matter.

NEW YORK, N. Y., FEBRUARY 9, 1895.

"In abolishing rent and interest, the last vestiges of old-time slavery, the Revolution abolishes at one stroke the sword of the executioner, the seal of the magistrate, the club of the policeman, the gauge of the exciseman, the erasing knife of the department clerk, all those insignia of Politics, which young Liberty grinds beneath her heel." — PROUDHON.

☞ The appearance in the editorial column of articles over other signatures than the editor's initial indicates that the editor approves their central purpose and general tenor, though he does not hold himself responsible for every phrase or word. But the appearance in other parts of the paper of articles by the same or other writers by no means indicates that he disapproves them in any respect, such disposition of them being governed largely by motives of convenience.

An "Age-of-Consent" Symposium.

It may confidently be asserted that all friends of Liberty are agreed as regards these three general propositions:

1. The existing system of sexual relations is very imperfect.

2. What is right or is wrong for a member of one sex under given conditions is right or is wrong for a member of the other sex under analogous conditions.

3. All persons, regardless of sex, should be protected from violence, extra-legal or legal.

Touching the first proposition, libertarians find themselves in agreement with authoritarians so far as the fact of imperfection is concerned, but they disagree widely, often fundamentally, as to the constituent elements of that imperfection. Likewise libertarians and authoritarians — at least, the more progressive contingent of the latter — are at one concerning the desirability and justice of the "single standard" in sex ethics, but here again the two schools are often vitally at variance when it comes to the consideration of what *is* right or wrong in the relations of the sexes. Finally, while authoritarians agree with libertarians that the individual should be protected from extra-legal violence, there are frequently irreconcilable differences of opinion when it is attempted to frame a definition which shall properly describe such violence, and, in addition to this difficulty in the way of reaching an agreement, there is the failure of the average authoritarian to recognize that under the present marriage system violence is legally sheltered, and his ineradicable propensity to commit legal violence in his blundering endeavors to prevent or punish extra-legal violence, or what he considers such.

THE "ARENA'S" CRUSADE.

For some time now the "Arena" has been trying to arouse a wider public interest in the age-of-consent laws of the various States, and in the January issue there is a symposium participated in by Aaron M. Powell, Helen H. Gardener, Frances E. Willard, A. H. Lewis, D. D.; O. Edward Janney, M. D.; Will Allen Dromgoole, and Emily Blackwell, M. D. The editor also continues his article on "Wellsprings and Feeders of Immorality," this being the second paper and dealing with "Lust Fostered by Legislation." The age of consent varies from ten years to eighteen, being the latter only in Kansas and Wyoming. In all the States association with a girl before she has reached the age prescribed in the statutes of the State in which she lives is rape, regardless of her consent to the association. The limit is ten years in three States, twelve years in four, thirteen years in three, fourteen years in nineteen, fifteen years in one, sixteen years in twelve, seventeen years in one, and eighteen years in two. Included in this enumeration are the territories and the District of Columbia. The demand of the reformers who are represented in this symposium, and of those for whom they speak, is that the limit shall be raised to at least eighteen years. There are some who make themselves heard through the press who wish to make it twenty-one years, and a few would put it still higher. But for the purposes of the present examination I will confine myself to the demand of the "Arena" writers.

The problem is a difficult one to deal with in the existing condition of society, where the most outrageous wrongs are possible because the people are economically enthralled and are the slaves of the grossest religious and moral superstitions. It is at once manifest that the ignorance fostered by the dominant powers in church, society, and the State is responsible for at least nine-tenths of the suffering resulting from the association of the sexes, both in and out of marriage. This is easily demonstrated, but the limits of this paper forbid the introduction of the evidence here. Suffice it to say that it is impossible to do justice by establishing a hard and fast line in this matter of age-of-consent laws. To say that the right of choice and determination should be withheld from all young women until they are eighteen is to utter an absurdity. Some are more developed, physically and mentally, at fifteen than others are at eighteen or twenty, or even when older. There are many exceptionally bright girls who know more at fifteen or sixteen than the mass of womankind do at fifty. Why such as these should have their lives wrecked by punishing their lovers for rape it will be exceedingly difficult for the "Arena" crusaders to show. The favorite argument of the advocates of the eighteen-year limit is that those who cannot be trusted with the management of their property until they are eighteen should not be trusted with the guardianship of their own bodies. But does the establishment of one arbitrary rule justify the establishment of another? Is individual capacity not to be considered at all? That one man never knows enough to take care of his business is not a valid reason why another who has been a good business man since he was a youth should be held in a lifelong minority. It is a well-known fact that thousands of parents permit their minor sons and daughters to attend to their own business affairs, and there is no doubt that the vast majority of the young people so trusted are better for their early introduction to the responsibilities of life, and it is equally certain that multitudes more would have been likewise benefited by similar opportunities to hew out their own fortunes had their parents been wise enough to open the way for them. But it is not true that girls and boys under eighteen never have had and have not now any control over their property. By the *Code Napoléon* a person of either sex may become an executor or executrix at seventeen, and at sixteen the minor may devise one-half his property. In some of our States the minor may choose a guardian at twelve and in others at fourteen. In New York a girl of sixteen may will and bequeath her personal estate, as may a boy of eighteen, and they may consent to marriage at the same age. Recurring to the question of majority rights often given by parents to their sons, it should be noted that in some States — possibly in all — a father may give notice by publication that he will appear in court at a given time to ask that his son, naming him, may be legally invested with the rights of a man, so far as independence from parental control is concerned, before he has reached the age of twenty-one. Only a few days ago I read such a notice in a Kansas paper.

Those acquainted with our school system are aware that many teachers are under eighteen years of age. Is it possible that these young women whom the State accepts as competent to teach and train her children are not competent to control their own persons? And then look at the thousands of girls under the age named who are earning their own livelihood in industry, business, and journalism. Why insult these by the gratuitous assumption that they are not competent to guard their persons from invasion when not assailed by physical violence? Dr. Janney thinks that the inequality in mental capacity of girls is a good reason why those who are in advance should wait until they are eighteen for their sex-liberty. This, he intimates, will give time for the others to catch up, and thus he would avoid the possibility of a wrong being done to a few of the immature ones by inflicting a certain wrong on all the more advanced who choose to live their own lives in their own way. If it be said that a similar wrong is inflicted on the man or woman who is capable of managing his or her own property interests before majority is reached, but who is denied that opportunity because all young people are not sufficiently intelligent, it is answered that the alleged parallel is far from perfect. As before said, many parents nullify the evil effects of that arbitrary law by giving their children an opportunity to help themselves early in life. Many of our youth do not feel the operation of the majority law at all except when they desire to vote before the age of twenty-one is reached. But in the case of the age-of-consent law such individual relief would not be easy to obtain, no matter how intelligent and humane the parents of the girl might be. With our numerous Societies for Meddling with Everybody's Business, the lover would probably be hanged or at least imprisoned for rape, and this in spite of the fact that the girl, her parents, and all others immediately interested were perfectly satisfied with their own arrangements.

I clearly recognize the fact that the child is not capable of judging for herself, but it is preposterous to hold that girls of fifteen and upwards are all children in thought, or such

even in a majority of instances. This is an age of rapid development, and there are large numbers of young women in their teens who know much more about themselves and are far better qualified to be their own protectors than were their mothers when five or ten years older. Were it not for our State-enforced ignorance of sexual matters and the anti-natural teachings of a reactionary church, there would be precious few of our young women who would need the protection of the government to the extent of guarding them against themselves. Probably, all things considered, including the dense misinformation of the masses, the most reasonable present settlement of this age-of-consent question would be to fix the "age" at puberty.

A PECULIAR OMISSION.

Before proceeding to notice in detail some of the arguments of the contributors to the symposium, it will be well to call the attention of the fair-minded reader to a remarkable omission made by all who have written in the "Arena" on this subject. Everyone has tacitly assumed or explicitly stated that there is no legal protection or relief for the girl after she has reached the age of consent. If before that she consorts with a man, either through the compulsion of force or fear or in virtue of such "consent" as her mind may be able to give, she is outraged in the eye of the law, and her assailant is guilty of rape. But, if the "age" has been reached, she is no longer subject to outrage, and her assailant is not guilty of rape, if she consents. This is true, but the reformers should not have left the impression that her associate has committed *no* offence under the law, for such an impression is misleading. In many of the States association under promise of marriage is a misdemeanor, and in some it is a felony. In some States association with an unmarried, previously "chaste" woman involves the offence of seduction even without promise of marriage. In New York abduction consists in taking a girl under sixteen for purposes of marriage, prostitution, or intercourse, or inveigling and enticing an unmarried woman under twenty-five into a house of ill-fame or elsewhere for prostitution or intercourse. Seduction of an unmarried woman under promise of marriage involves imprisonment, or punishment by fine, or both. In most of the States, if not all, the father or other near relative of the woman seduced may bring action, and in some the woman may do so herself. We should all have had more faith in the desire and intention of the symposiasts to be fair if they had stated these facts with the particularity that they have shown in laying before the people the age-of-consent laws of the States. Not to say anything about it at all was still worse.

THE DEFENCELESS POSITION OF THE WIFE

Opposite the first page of the symposium there is a group of portraits of the contributors, and under it Mr. Flower has put the label, "Some Defenders of the Home." I have read all the articles very carefully, and have failed to find a single word which would reveal to the uninitiated reader the startling fact that there is not a law on the statute-books of a single State of this Union which recognizes the possibility that the husband can commit a rape upon the wife. Looking in the law-books, I find it often and expressly stated that *the prostitute can be raped, but that the wife cannot.* So far as the husband is concerned, the wife is without defence. He can go to the brothel and commit a crime which will, if he is prosecuted, send him to the penitentiary; but, if he comes home the same night and commits the same crime on his wife, he will not be troubled by the law. Is it not strange that these "defenders of the home" forgot to say anything about so important a matter as this? Miss Willard alone speaks of the necessity of making the wife the arbiter of her own destiny, but even she does not venture to tell the world what the law has put in the way of the accomplishment of that result.

HELEN GARDENER "DARES" THE OPPOSITION.

I will pass over Mr. Powell's contribution, as it is chiefly a statement of the present status of the consent laws, and stop for a moment at Helen H. Gardener's, not because the latter contains any argument requiring an answer, but merely to show the readers of Liberty, by means of a quotation or two, the weightiness of some of the pleas for the surrender of the self-hood of the young women of America. This will do for a beginning:

> When I am asked to present an argument against lowering the age of consent, or when I am requested to write the reasons why that age should be raised to at least eighteen years, it impresses me very much as if some one were to ask me gravely if I would be so kind as to think up some fairly plausible grounds upon which one might base an objection to the practice of cutting the throats of his neighbor's children whenever that neighbor happened not to be at home to protect them; or to furnish a demurrer to the act of inoculating the community with small-pox as a matter of ordinary amusement."

That is a curiosity of argument which may well be left to answer itself. Miss Gardener wants to know if there is a legislator who believes that he has a right to assist in keeping the age of consent below eighteen years who will set forth his reasons, be they of a scientific, religious, social, or legal nature. I am not a legislator, but I have ventured to give some of my reasons for believing that the age of consent should not be raised to eighteen years, and I will now advance a few more. I do not believe that the State has a right to step between the young woman under eighteen and her lover, whether she does or does not choose to enter into legal marriage with him. Understand me, I say young woman; I am not speaking of children who have not reached puberty. Such interference is antagonistic to healthful social growth. It deranges the orderly processes of development. Girls trained by intelligent mothers will be immensely more benefited than injured by relations that they desire, and the more liberty coupled with responsibility that we have the less there will be of sexual relations that are *not* desired. As for the girls whose mothers are not intelligent, their fate cannot be worse than it is now, and there is the reasonable chance that it will be greatly improved. The example of responsible freedom is almost immeasurably powerful. Regarding the scientific objections to the probibition of sexual association until the age of eighteen is reached, they are numerous, but may be condensed into the single affirmation that there are very many young women whose nervous and physical systems are greatly injured, if not ruined, before their eighteenth birthday is reached by enforced abstinence from love associations. Others, again, do not feel the need of such relations before twenty or twenty-five, and some never. Let there be no cast-iron rule for all. We want no social procrustean beds. The world has been dosed nigh unto death by quacks who have thought that the race was damned unless everybody did just as they, the quacks, told them to do. We need liberty in domestic affairs just as much as in religion or politics, as Miss Gardener should know.

"THE SANCTITY OF MOTHERHOOD."

Miss Willard observes that, "unless women had been at some time objects of barter, no such law could have been made." It seems to me that laws of this kind are evidences of the growing respect for woman which is a characteristic of this age. Faulty though they are, they show that the law-maker has desired to protect helpless infancy, while not interfering with the right of choice of young womanhood. The effect of those laws, whatever the intention of those who enacted them, has been to help place woman on her feet as an independent being, capable of acting for herself. That is, let it always be understood, when the limit has not been placed too high. The efforts of Miss Willard and her associates will, if crowned with success, necessarily weaken the sense of responsibility of womankind, and thus defeat the very purpose they have in view, — the protection of women from invasion. Another very important fact is persistently ignored by the age-of-consent agitators, and that is that the laws against rape remain to protect woman, and to avenge her if she is outraged — unless her husband is the criminal. When the age-of-consent laws are raised above fourteen or fifteen, the armies of "reform" have faced to the rear instead of to the front. The Roman law did not distinguish between rape and seduction or adultery, and the accused was not allowed to show that the association was with the consent of the woman, no matter what her age. The advocates of this *pseudo* reform are trying to force us back toward that savagely cruel code, and at least one of these "reformers," Rev. Mr. Lewis, would go every step of the way. He says: "It is not enough that the age of consent be 'raised.' *It must be erased.*" The italics are his. By this he means that the hour can never come in the life of any woman when she will be free to love outside of marriage and to express her love. It means that, no matter how old the woman may be and how capable of choosing for herself her mode of life, her lover will be punished for rape. I thank Rev. Mr. Lewis for letting us see the end of the road upon which he and his fellow-coercionists invite us to enter. I am glad, for the honor of humanity, that it is a Christian minister who makes this atrocious proposition.

When Miss Willard italicized the declaration that "the sanctity of motherhood must be respected to such degree as shall make a wife the unquestioned arbiter of her own destiny," was she thinking of the shameful fact that a wife is the only woman who can be outraged with impunity, and that no wife in the land is free from the danger of such outrage if her husband is not too much of a man to take advantage of the power with which the law has invested him? If she was thinking of this,

why did she not say what she meant? And does she think that the wife is the unquestioned arbiter of her own destiny when she cannot legally free herself from her husband if he has not happened to commit some offence which the law recognizes as a valid cause for divorce? How can she be the arbiter of her own destiny when the law and the public opinion that Miss Willard shares deny to her the right to express her love for other than the man who legally holds her as the instrument of his desires? Has it never occurred to the head of the W. C. T. U. that an unmarried woman should also have an unquestioned right to the control of herself? And that among these unmarried women are the ones to whom she, by raising the age of consent to eighteen years, wishes to deny the right of choice, which is the heart and essence of self-government?

THE CHRISTIAN MINISTER'S SPECIAL PLEADING.

Rev. Mr. Lewis represents in this symposium the intolerance of religion as well as the intolerance of morality. He is satisfied that the age-of-consent laws and all other evil things connected with sex and its expression (that is, evil in his eyes if not so in fact) had their origin in the phallic worship of the ancients. I have not here the space at my command to dispose of his misrepresentations of that venerable cult, nor is it necessary to the purpose of this article, but I must let him see in what a fragile glass house he dwells, if, indeed, he does not already realize the fact. Referring to the double standard of sexual morality, Mr. Lewis says:

Too much cannot be said against this double standard. The Hebrew religion, and Christianity, which is its spiritual efflorescence, condemn such unjust distinction.

Let us see. By the Mosaic law, if a man had outraged a betrothed woman, he was put to death; but, if she was not betrothed, he must marry her and pay her father a fine of fifty shekels. In other words, in the first instance he had offended against the rights of the other man and must die, but in the second instance he must pay her father for his interference with his patriarchal rights, and the victim is compelled to spend her life with the man who has invaded her. Would Mr. Lewis say that there was no "distinction" in this method of dealing with the ravisher, and is he prepared to advocate a law compelling American women to marry their assailants? But this is only the beginning. Both the Jewish and Christian scriptures know nothing of the equality of woman with man; both place her in a position of inferiority and subjection to him. "Thy desire shall be to thy husband, and he shall rule over thee." According to the Levitical law, motherhood was a sin that must be expiated by a birth offering at the advent of each child, and, if the child was a girl, the sinfulness was supposed to be twice as great as when the child was a boy, and she was "unclean" and must continue her "purifying" for twice as long a time. Wholesale kidnapping and rape are commanded by God's priests in the Old Testament, while in the matter of divorce the husband is given a free hand by both the Old and the New, but the wife has no remedy whatever. "When a man hath taken a wife, and marries her, and it come to pass that she find no favor in his eyes, . . . then let him write her out a bill of divorcement, and give it in her hand, and send her out of his house." See also Deut. xxi., 10-14, where the man is given authority to send away in the same unceremonious manner the "wife" he has captured in war. Jesus modified this only to the extent of confining the husband to one cause for dismissing the wife. But in neither dispensation was the wife authorized to put away her husband. Can Mr. Lewis see no "unjust distinction" in this discrimination?

In the Decalogue the wife is put in the same category with cattle and slaves as a chattel. To perceive the "distinction" which the New Testament makes between men and women, read Colossians iii, Ephesians v, 1 Corinthians xiv, 1 Peter ii, 1 Timothy ii, and 1 Corinthians vii. Of course this is a slight digression from the discussion of the age-of-consent problem, but, as one of the champions of increased restriction of woman's initiative has seen fit to try to make capital for his pet religious superstition out of the question at issue, it was deemed expedient to follow him in his wandering and expose the hollowness of his claims.

SOME DEFINITIONS THAT DO NOT DEFINE.

Dr. Janney attempts definition; for instance, he says that "an immoral act becomes criminal when done in violation of a law which defines the crime." It becomes *illegal* under those circumstances, but the law cannot make an act criminal which is not so *per se*. To be criminal it must be an act of invasion without the consent of the invaded. The doctor continues: "Thus unchastity is criminal up to the 'age of consent'; after that, it is immoral, but not criminal." What confusion! It is not the unchastity that is criminal, but the invasion of the person of the child. Neither is "unchastity" necessarily immoral after that time; it depends entirely upon conditions, for we know that by "unchastity" Dr. Janney means intimate relations outside of marriage. In the next paragraph the doctor, advocating the extension of the "age" limit, says: "Several more years will be provided, during which the unchaste act is not merely immoral, but criminal." Here we are again met with the insulting assumption that free association is necessarily unchaste association, while the error of definition in the matter of criminality is repeated. If the legislature can make that a crime which is not so in itself, then all that would be necessary to make the writing and printing of Dr. Janney's article crimes would be the enacted opinion of the majority of the members of the legislatures of Maryland and Massachusetts that said writing and printing were crimes.

WHY WOMEN ARE IGNORANT OF THEIR PERIL.

Describing the nature and deadly effects of certain diseases, Dr. Janney says: "It is safe to say that a girl of fourteen or sixteen years knows nothing of the existence of such diseases in men. It is something that does not enter into her thoughts." How much more will she know at eighteen, if she is handicapped with a mother and father who have failed to instruct her before she has reached her sixteenth year? A system of miscalled education that leaves girls thus defenceless at that age or an earlier or a later one is condemned by that fact, and the religious and moral instructors who sanction the prohibition of the circulation of physiological and medical works that would, if put into the hands of the young, prevent very much of this lamentable ignorance have no call to denounce those friends of liberty and growth who hold that light, and not law, is the only efficient protector of the young as well as of the more advanced in years.* But what will Dr. Janney do to protect the young wife of the diseased man? Does the girl of sixteen or twenty who marries know anything more about these diseases than does the girl who is not married? The chances are that she knows less, if anything, and this will possibly explain somewhat of her haste to enter into a legal relation where she cannot refuse to consort with the man she has chosen, even if she finds him a mass of corruption. Assuredly the free woman is in a better position to protect herself from such dangers than is the wife who cannot make effective defence against outrage save through a costly suit for divorce, and not then if her licensed assailant has committed no offence which the law does not sanction, as it does this. By the way, Miss Gardener had something to say about "licensed lechery," in connection with the age-of-consent laws; but this is the only "licensed" crime of the kind of which I have heard, — this legal subjection of the wife to the husband, in the spirit of the good old Bible injunction, "as the church is subject unto Christ, so let the wives be to their own husbands in *everything*," regardless of the state of his or their health. Dr. Janney should do a good deal of hard thinking before he writes again.

A PROTEST AGAINST GRATUITOUS INSULTS.

In conclusion, I wish to protest against the phraseology of most, if not all, of these conventional moralists. Miss Willard, to illustrate, speaks of the girl of ten being "held responsible equally with her strong, relentless, and doughty assailant for the sale of herself in a crime of which two only are capable." But, if two persons are capable of contracting for this relation, it cannot be a crime; you may call it unchaste, or immoral, or vicious, but a crime it cannot be. In the case of the child and the man, however, one of them not being able to contract, it can be neither a crime nor an immoral act on her part, for she does not invade him, and, as she presumably does not understand the nature of the act, it is not possible to conceive of it as an immoral action, so far as she is concerned. She may be severely injured physically and in her nervous system, but that does not imply moral obliquity. There is but one criminal in the case, and that is the invader, the man. Why, then, look upon her in any different light from that in which you would view the victim of a highway robber or burglar? She is simply a sufferer from assault,

* Since the above was written, the Woman Suffrage Association has been in convention in Atlanta, and it had a jubilee over the news that the bill raising the age of consent to twenty-one years, introduced by the Hon. Mrs. Holly in the Colorado assembly, had been passed by that body of wiseacres. The suffragists telegraphed their congratulations to Mrs. Holly. Why did the legislature not raise the "age" to sixty years and be done with it? Why stop at trifles, or be influenced in the least by considerations of good sense and justice?

not a participant in immorality or crime.

If Rev. Mr. Lewis and Dr. Janney are to be believed, woman is nothing but an incarnation of chastity; and, when she is smirched or becomes unorthodox in her sex nature and its manifestations, she is forever done for, — she has no other virtues or merits to redeem her or recommend her to our mercy. Man has many good qualities as well as bad ones, and so, even if he has been or is irregular or vicious in his sex associations, he is not lost; he can do much to win the toleration, the praise, or perhaps the enthusiastic laudation of his fellows, including even the women who have not "sinned," or been known to sin, which is the same thing to Mr. Grundy and his wife. Dr. Lewis refers to woman's conventional chastity as her "one badge of womanhood." Think of what that implies! A woman's service in the cause of humanity is nothing; her arduous labors for the support of herself and her parents and children are nothing; her devotion to her country in the hospital is nothing; her literary or artistic productions are nothing; her brains are valueless, — nothing about her is worth a moment's consideration but her conformity to a sexual code which may or may not be better than any other which man has invented. Her supposed faithfulness to this code is the "only badge of her womanhood"! Heavens! what would be left to the world of the achievements of men, if their sexual unorthodoxy had cancelled all their intellectual and ethical services? Where would be our inventions, our letters, our art, our science? Dr. Lewis insults the self-respecting women of the world, and they should sting him into shame and repentance with their unanimous and indignant affirmation that a true woman is something besides a bundle of sex nerves; they should tell him that they value themselves too highly to be thrown into a paroxysm of despair by a mistaken — if it is a mistaken — use of one function of their natures. Mr. Layton W. Crippen, fellow of the Society of Arts and member of the Japan Society, in a lecture at the Hotel Waldorf, New York, said that it was quite impossible to reconcile art and morality in the manner so often attempted. The real solution of the difficulty is in recognizing that goodness consists in more than mere "virtue"; in the words of the Kabbalah, it is composed of virtue and truth and beauty. So of the character of woman; her goodness consists in more than a mere fashionable adherence to a code of sex ethics, and she is not "ruined" by even real imprudence, if she have the strength of character to profit by her mistakes.

Dr. Janney calls sex association outside of the conventional limits "degradation." It may or may not be degradation, just as association within marriage may or may not be degradation. All depends on other factors than the license granted or withheld by the State, or the formula repeated or not repeated by priest or magistrate. The essential verities do not depend for their validity on any such ephemeral things as States and churches. There is no reason why liberty should degrade love, and no reason why a political or religious machine should legitimatize or sanctify prostitution and invasion; but there are many reasons why liberty should make sane and responsible the relations of the sexes, and why legal and ecclesiastical tyranny should do the very opposite. These are not *à priori* assumptions; they are valid generalizations from millions of facts recorded in the history of mankind.

THE "DOUBLE STANDARD" OF "HONOR."

Once more Dr. Janney. He tells us that "no possession is so precious to a woman as her honor"; "it is infinitely more valuable to her than gold, houses, lands, or jewels; more valuable to her than even life itself." "Rather should the age of consent be placed above eighteen years than under it. Let chastity be valued above money." No fault can be found with the last sentence, but what does the doctor think of the women who marry for money and position and homes? But let that pass; he will not fail to see the pertinency of the question, I think. Nothing could well be more insulting to womanhood than this writer's cool assumption that a woman's honor contains but one constituent element, — her chastity, as he calls it, which, after all, may be nothing more than her cowardice, or her superstitious reverence for traditions, or her coldness, or her ill-health, or her worldly prudence, or her happy family life leaving nothing at present to be desired. A man's honor is not entirely dissociated from the capacity and wish to tell the truth, from the desire to be honest in his business engagements, from his capacity to respect the rights of others and to be a gentleman in the broadest and best meaning of the word. Why should a woman's "honor" be held by the self-vaunted moralists to be less inclusive than that of her brother? Is it not as honorable to tell the truth, to be financially honest, to respect the rights of one's neighbors, to be womanly in the noblest sense, as it is to conform to a sexual code imposed by others? Why should a young woman be denied her right of choice merely because it is feared that she may possibly make a mistake in her love relations and so lose her "honor," when, in fact, she may be sexually unconventional, and yet be in all respects honorable to a degree? Let us be done with this nauseating cant which ignores every factor but one that contributes to complete womanhood, that one factor being sexual "purity," which is so often counterfeited by mere conventional conformity that the rational thinker places no value on the verbal counters with which it is attempted to give it universal currency.

Give us liberty, and chastity, purity, and morality will take care of themselves, because all will then have an opportunity to be healthfully chaste, pure, and moral instead of traditionally, customarily, or legally conventional — in the gaze of the world.

LILLIAN HARMAN.

In its obituary of Ward McAllister the "Sun" says that the leader of the "four hundred" was "more than an epicure; he had made a study of astronomy." But the "Sun's" intelligent compositor makes no worse breaks than those of which its editor is sometimes guilty.

Rent and Interest under Anarchism.

To the Editor of Liberty:

While agreeing in the main with your theory as to what constitutes true freedom and with your forecast of the structure of society under it, I would venture respectfully to demur to two of your positions, — *viz.*, those relating to rent and interest, which, not having yet been challenged in your columns, you may perhaps be willing to reconsider.

I might even have objected to a third, — namely, your thesis that Communism is incompatible with individual liberty, — were it not that you are evidently under the impression that all Communists propose compulsory division of goods, whereas genuine Anarchist-Communists merely hold out Communism as an ideal to which, under the abundance that will reign after monopoly is abolished, people would be voluntarily attracted by its unquestionable advantages in economy of time, labor, etc.

To come now to the points in dispute, if I understand aright your theory of land tenure, it contemplates the exclusive and unconditional possession by every one of such land as he requires for personal occupancy and use; though the community may decline to sanction the holding of more than a certain area, which you suggest might be ten acres. But surely a definition of what constitutes "use" would at once be required. If it were held to mean ordinary tillage, then the person whose ten acres commanded, say, the only good frontage to a navigable river, or the most extensive prospect, could, by sowing potatoes there, prevent land highly advantageous for commerce or desirable for residence from being used for those purposes, and, so long as he was not allowed to sell or rent his land, would probably do so, if only as a protest against such interference with his liberty.

Conversely, a man living, say, in Arizona, whose land would not pay for tillage, but was only valuable by the thousand acres for grazing, would have no security of tenure for any area beyond ten acres, but would be constantly liable to the incursion of other flocks and herds whenever his pasture seemed richer than that surrounding it.

You ridicule Henry George's system on the ground that it would not help the man without capital. Does not the same objection apply to yours? For the owners of capital would naturally be best able to take up the good sites, leaving the poor man to make shift with inferior locations.

Dr. Hertzka, who is not exactly an Anarchist, since he believes in taxation of incomes for the purpose of making roads, railways, and such-like public works, still sees that land can only be truly free when all of it, and not merely vacant land, is open to the use of everybody, as the exclusive possession of it by any individual must inevitably give rise to rent. His system, therefore, allows any person to join the occupier for the time being in the use of his land, sharing the profits of their work together. This system is endorsed by Dr. Nettlau, of Geneva, who declares it to be consonant with Communist-Anarchist principles, and it appears to me that those who reject taxation, and therefore cannot hold with George's plan for equalizing the varying desirabilities of different areas, have no alternative, if they desire absolute justice and equality of opportunity, but to give their adhesion to the same.

The second point I dispute is your theory that justice requires the return by a borrower, not indeed of the principal with interest added, but of the full sum loaned without deduction. I demur to this proposition on the ground that, inasmuch as all true wealth (*i. e.*, that which is the result of human effort, as distinct from the free bounty of nature, or from spurious capital, such as paper stocks and bonds) is subject to constant decay, it necessarily follows that the natural order would replace interest by a decrement determined by the average depreciation of all forms of such wealth. To demand the return of a loan to its full amount is therefore an extortion similar in kind to, and only less in degree than, requiring an addition of so much per cent. interest, and, though not indeed enabling the lender to live in absolute idleness, would lighten his natural duty to labor by the amount of depreciation which he would be relieved from the necessity of making good. Indeed, it is remarkable that, in calculating the tribute rendered by labor to capital, Socialist statisticians invariably ignore one of the most onerous burdens it has to sustain, — namely, the making up of this depreciation, which, taking all kinds of wealth into account, can hardly be less than some ten per cent.

Respectfully, EVACUSTES A. PHIPSON.

SELLY OAK, ENGLAND.

A Sportsman's View.

My article on "Game and Forests" seems to have subjected me to the gentle reproach of several friends who find it hard to reconcile my confessed love of game and guns and dogs with the kindly ideal they had formed of my character. Mr. Leonard somewhat represents these in his "Non-Sportsman's View." Not a very powerful argument, this, that he brings, I deem, — not so strong, nearly, as it might have been, — but it will furnish me with a text for some explanations and further remarks.

As to food — I said "source," not *supply*. The present supply of food from game, fish, etc., is really very considerable, but perhaps not "great"; but the source *is* great, for none of our game animals are yet entirely extinct, — not even the buffalo, — and, wisely encouraged and protected, under the state of things I have ideally described, any one of these species might afford a really great supply of food.

And as the relation of food to human happiness is fundamentally important, this is an argument not to be made light of. Increased food means that human population may be increased, or, better still, increased leisure, power, and comfort to those now existing. And the plan outlined in "Game and Forests" was one by which the waste and deserted parts of the earth might be brought to produce animal life abundantly, furnishing much food, and yet to so judiciously check and offset this production by the sportsman's gun that it might not be a peril to planters.

"A milder type of the military spirit," this "sportsman's instinct"? Yes, surely; and, although I am "a peace-loving Anarchist" as regards man, I am a militant Archist as regards nature.

Life is a warfare. Between man and climate, man and vegetation, man and the lower animals, there is war, war inevitable and constant, only to be ended by extermination on one side or the other. My critic has no desire to kill anything "harmless or inoffensive," but in this war nothing can be harmless and inoffensive in the broad sense. Were man to become Buddhistic in the extreme form, it would not be the tigers and bears that would harm him most, but the so-called "harmless" animals, — deer, rabbits, doves. Whoso robs me of food and the fruits of my labor is my enemy and injures me cruelly. When "Brer Rabbit" eats the "gyarden sass" of "Mr. Man," he is Mr. Man's enemy; and, when Mr. Man builds a fence so tight that Brer Rabbit cannot get to his usual feeding-ground, he is Brer Rabbit's enemy; and the process carried out to the logical end on either side means certain extermination to the other, though no guns be fired. In his relation to nature man is a tyrant. He enslaves, maims, kills, crowds out, or exterminates, as best serves his happiness, and, however brutal it may sound, the animals have no rights he is bound to respect, for Nature has made it so. He may be as sentimentally merciful as he pleases, but in some form or other the war is upon him, and he cannot escape.

"I and my friends shall eat flesh no more!" he cries, and at once the white flocks of the sheep disappear from the hillsides, the kine no longer chew the reminiscent cud in the meadow, and thousands of years of aggregate animal happiness become impossible because he would spare each the momentary pang of the butcher's *coup*.

Marvellous mercy, this of the sentimentalist! Rather than kill, or permit another to do so, he would prevent life altogether. Though life be long and mainly joyous, and death be brief and mainly painless, it matters not, — he cannot be "cruel." Suppose all men should take the "Non-Sportsman's View," and all hunting should cease except that of the carnivora, and all "harmless" animals should increase, as they surely would, to the limit of human endurance. What then? Some remedy would have to be applied in self-defence. Kill off the dangerous increase annually? In what way would that be superior to killing off the same number by hunting? Would it not be hunting minus the "sport"? In what way is it nicer for men who suffer in the killing to kill than for men to kill who enjoy killing? Will it advantage an animal any to be killed by a sentimentalist rather than a sportsman?

Men never do well what they dislike to do, and I fancy the sentimentalist will fall next upon the expedient of permitting the lesser carnivora to increase to do his killing. Enough of this would be effective, but what then? If you were an animal, wouldn't you just as soon a man would shoot you as set a weasel to sucking your blood or an eagle to hold you screaming in his talons?

Probably all this would be voted too cruel, and extermination would be decided upon as a radical cure and certain preventative. Really, this remedy for "cruelty" is so stunning and breath-taking that it always paralyzes me; and I can only feebly protest that, if choice were given me, I would sooner have a few years of average life and then murder than no life at all. But, as the sentimentalist is usually a big-brained civilizee with abnormal nerves and a dyspeptic conviction that life is not worth living, I cannot blame him for his prophylactic mercy.

By the plan which I proposed I believe the greatest possible freedom and happiness in this matter would be secured to men and animals alike. The sum total of animal life would be largely increased, yet kept normally in check; the food-supply would be increased; the sportsman would have better shooting than now; and the Buddhist could protect absolutely all animals who accepted the hospitality of his domain. The gentle and the fierce, the vegetarian and the flesh-eater, the man and the animal, would each come nearer to realizing his ideals, would each have more equal freedom, than by adopting any non-sportsman's view.

No, there is no "necessary connection between the love of forests, rivers, and mountain scenery and the desire to kill something." But the sportsman is not a butcher, and there is a necessary, or at least usual, connection between the love of wild nature and the chase of animals found only there, even as between the love of water and the love of fishing, and between the love of soils and the love of crops.

Does Mr. Leonard really misunderstand my use of the words *cost* and *profitable* as employed in the paragraph from which he quotes? Perhaps; and to save sarcasm and not assert hypercriticism, I suggest that the word "profitable" sometimes means "self-beneficial" and "useful," not always "gain over expenditure." Something may be learned of an author's meaning by context and manifest intention.

Certainly it is the province of Anarchistic juries to consider all questions of invasion and damages. I called the preservation of fish in navigable waters "a harder problem," because navigable waters cannot be apportioned in small pieces to individuals. Communism entering here, individualistic remedies do not so aptly fit. But equal freedom fits everywhere. As waste chemicals can otherwise be disposed of than by throwing them into fish-bearing waters, an Anarchistic jury could rightfully assess damages in favor of injured fishermen. If a factory should poison the waters of a stream from which a city drew its drinking water, would Mr. Leonard see no chance for Anarchistic restraint? The "rights of the fisherman" are not "superior to those of the manufacturer," but equal. Each has a right to pursue his own business without being needlessly injured by the other.

I said the boycott would be "effective" against seines and dynamite "if vigorously applied." Mr. Leonard thinks it wouldn't be applied, and intimates that his non-sporting prejudices would lead him to patronize users of seine and dynamite. Very well; if enough of his ilk did so, in a very few years there would be no fish for any one to catch in any way. But my conviction is that men "are that kind of animals" which know how to defend themselves, and that before things came to such direful pass the boycott would be sharply enough applied, and I should be surprised if selfish customer did not get a share with greedy fisherman.

And while I am on this topic again, I want to say a word about an editorial remark made on my "Game and Forests," which intimated that an Anarchist could not collect a fee from a trespasser on his grounds. To me the right of privacy is incontestable. If I may not exclude from my land, I may not exclude from my home. If the right of privacy extend not to everything belonging to an individual, it extends to nothing, and the lady has no security from impertinent intrusion even in her bath-room and boudoir; nor can even a letter be private. If the right of privacy be granted, then the owner has the right to permit access on any terms he may please, and to collect damages from those who force entrance.

Perhaps it was meant that merely "marking off" a bit of wild land did not constitute valid ownership. But I did not assert that. My forester is represented as making his home on this land and getting his living from it, developing its natural beauties, protecting, adding to, or regulating its game stock, etc. All this is "occupancy and use," which gives valid title. A man has as much right to raise deer, quail, and rabbits as horses, hens, and sheep, and as much right to prevent the hunting of one as the other on his own premises. So long as a man makes an honest living from his own land, the *how* is nobody's business; and he has the right to include or exclude whomsoever he will on his own terms, or he has no rights whatsoever. If I may not charge a fee at the gate of my farm or park, I may not charge a fee at the entrance of my museum, my circus-tent, my theatre.

J. Wm. Lloyd.

The Dry-Rot of States.

Below is printed an extract from a remarkable editorial which appeared under the above heading in the London "Spectator" of January 5. The "Spectator" can suggest no remedy for this dry-rot except the infliction upon the guilty of punishments that will humiliate them by placing them upon a level with ordinary thieves. The true lesson — that corruption is an inevitable outgrowth of tyranny — the "Spectator" fails to see. Decent people are more and more coming to see that government is an outrage, and indecent people of course will steal.

There is something sickening, as well as something almost unintelligible, in the accounts of corruption which pour in upon us from every quarter of the world. No form of government and no pride of race seems to be the smallest defence against the passion of stealing from the public. We are wholly unable to sympathize fully with either China or Japan in the amazing war now raging in the Far East; but it is with a feeling of positive pain that we read a letter like the terrible one from the Gulf of Pechili, published in the "Times" of Wednesday morning, accounting for the defeat of the Chinese. It is a story of corruption which to Englishmen seems almost incredible. The safety of the State has been deliberately sacrificed to official greed, no man employed in the departments of supply buying good weapons if buying inferior ones would enable him to pocket a larger commission from contractors. Quick-firing guns, for example, were rejected in favor of slow-firing, for this reason alone; millions were spent at Chefoo on useless defences because the governor there wanted his share of contracts: and Port Arthur was left exposed on the land side because it paid nobody to finish the defences in that direction. The ships were starved in the way of armament, the soldiers were starved in the way of supplies. Even in the throes of the war itself, with the position of the great officials themselves at stake, the passion for stealing cannot be kept down. A despatch boat absolutely essential for the conveyance of orders was rejected in favor of two needless torpedo boats, because the official entrusted with the purchase could, upon the latter, make large profits. The Chilian fleet could have been bought, if the Chilians would have bribed the buying department at Pekin; but they would not, and a transaction which, whatever its international aspects, might have saved the empire was permitted to fall through. The very generals buy their positions, and then quarrel with each other for pecuniary reasons. The vital force of a vast empire which holds together the most ancient of civilizations is in fact sold piecemeal every day in order that its officials may make fortunes and lay them up in little gold bars the size and shape of the biscuits called, we believe, in the baking-trade, finger-biscuits.

The Chinese are yellow, Mongolians, Monarchists, and Pagans; but we do not see that, except in their want of patriotism, they are any worse than certain classes in New York, who are white, Anglo-Saxons, Republicans, and, in theory at least, believers in Christianity. It is bad to sell the defence of a State, but it is as bad to sell the defence of internal order; and the recently dominant municipal party in New York has been doing that for years. It is impossible

to read the evidence taken before the Lexow Commission without acknowledging that every place in the police was sold, on the distinct understanding that the officers who purchased should recoup themselves by selling immunity to grogshops, disorderly houses, blackmailers, and, in short, all classes of law breakers who did not by murder arouse the active detestation of the community. The guilty hardly deny the accusations, and, though for the moment New York is aroused, there is no evidence that it will continue wakeful, or that, the moment the exposures cease, the corruption — which, be it remembered, was "put down" in the similar uprising of seventeen years ago — will not recommence. The poison has got into the system, and will work its effect again. Things are as bad in Italy, where government after government has been afraid to ascertain fully the true relation between privileged banks and leading politicians; where the public believe that in some departments a heavy percentage of the revenue never reaches the treasury at all; and where in one great province, Sicily, the collection of rates was so universally corrupt as to drive the lower citizens into overt acts of rebellion, only to be suppressed by the display of overwhelming military force. The corruption in France is not quite so bad because a Frenchman has an efficient side to his head, which hates corruption, not so much because it is immoral as because it impairs the prospect of success; but even in France the situation is deplorable. Only one man has been fairly punished for the frightful robbery of the Panama Canal shareholders, which must have implicated a hundred politicians, and no one has suffered for the state of affairs recently revealed at Toulon, which is inexplicable except on the theory of corruption as objectionable if not as dangerous as any revealed in the Chinese navy. There are now frightful stories circulated of newspaper blackmailing, stories still more widely believed of transactions between officials and the railways, and the "Lanessan" affair, upon which the government has taken sudden and peremptory action. The accusation officially made in this case is that M. de Lanessan, who occupied a position equivalent to that of the Indian Viceroy, paid a leading journal of Paris for political support in early information, not only as to colonial movements, but as to railway concessions which it was intended to make. M. de Lanessan has been cashiered peremptorily, on the evidence of letters seized by the judge, without a hearing; and, as he fiercely denies the justice of his dismissal, the general verdict of "guilty" passed against him by opinion is outrageously unjust, but that verdict of itself proves the want of confidence which France, taught by recent revelations, has begun to feel in the honesty of her public men. There is no doubt either that, while thousands of employers in France are marked by exemplary "probité," maintained under circumstances of exceptional temptation, there is ground for the public distrust, and for saying that the scene we now see in China might, if degeneracy went only a little further, be seen also in European monarchies and republics.

Bringing the Police to Book.

The following article from the Philadelphia "News" is not only of general interest to Anarchists as the record of a symptom of the growing tendency to resist the encroachments of arbitrary authority, but of special interest to the readers of Liberty, of whom the lawyer concerned, Mr. Samuel W. Cooper, is one, and to a large extent a sympathetic one:

It seems likely that the freedom with which policemen make arrests without warrants will be curtailed, as the result of a correspondence between Director of Public Safety Beitler and Attorney Samuel W. Cooper, a prominent member of the local bar.

Lawyers, as a class, are familiar with the extent of the abuse, and Mr. Cooper says that he is confident that fully fifty per cent. of the arrests made by policemen are illegal. He alleges that the grossest outrages are practised by the police along this line, who overstep the bounds marked by the federal and State constitutions, which sought to guard the citizen against this very evil.

Mr. Cooper recently had occasion, as the representative of a Mr. F. E. Wadsworth, of Detroit, who was arrested by a policeman in this city without a warrant and upon the representations of a third party, to call the attention of Director Beitler to the high-handed methods of his uniformed subordinates.

The following letters explain the nature of Mr. Cooper's complaint, and the position of Director Beitler to it. Mr. Cooper's first letter, under the date of December 12, was addressed to Superintendent of Police Linden:

Dear Sir, — We represent Mr. F. E. Wadsworth, manager of the firm of H. Scherer & Co., Detroit, Mich., and on his behalf we desire to lodge a complaint against John D. Gable, officer No. 1008. On Tuesday, November 6, Mr. Wadsworth was in the office of Scofield, Mason, & Co., Cumberland and Fairhill streets, when he was unlawfully arrested and assaulted by this officer, who had no warrant at all for his arrest. This officer detained Mr. Wadsworth without a warrant, until someone from the police station appeared with a warrant. This warrant had been sworn out against him by Frederick Talbot. . . . . . Mr. Talbot accused Mr. Wadsworth of obtaining money by false pretences, and, without the shadow of a case in law against him, the latter was held by Magistrate Gillespie. Mr. Wadsworth is now in Detroit; but, when he comes on here to the trial of the case, I desire to present the evidence against this officer. There are far too many arrests made in this town without any warrant whatever, and I trust you will use your efforts to make an example of this officer, who admittedly, without any possible right, assaulted and detained a citizen without any warrant of law. Be kind enough to advise me what steps are required by my client in this matter.

Director Beitler replied six days later:

Dear Sir, — The superintendent of police has handed me yours of the 12th, together with the statement of the facts of the case as gathered by the lieutenant of the district. This department has nothing at all to do with the question whether Talbot had a right to issue the warrant for Mr. Wadsworth. The fact is that Talbot had the warrant and demanded that the officer should arrest Mr. Wadsworth. Under a rule of this department an officer is prohibited from serving a warrant unless it has been backed by his lieutenant. The officer so informed Talbot, who went off to get the warrant backed. The officer states that, while Talbot was on this errand, Wadsworth came out of the mill, and the officer stepped up to him, and told him he would have to detain him, as there was a warrant out for his arrest. If that statement is correct, I cannot concede that the officer did anything wrong in the premises. If you can controvert that fact, I will order the officer up for trial, and arrange for a hearing at a time to suit the convenience of your client.

Mr. Cooper said, in replying, in part:

If I correctly understand the numerous decisions of our courts, a police officer without a proper warrant in his possession has no more right to arrest or interfere with a citizen than an utter stranger, and the mere fact that a warrant has been issued, whether properly or improperly, makes no difference whatever, unless he has it with him and is prepared to show it as his authority. Any other system of arrest is an absolute violation of the constitutional rights of citizens, and a complete subversion of the repeated decisions of our judges.

Mr. Cooper also submitted with this the statement of his client as to his arrest, which was as follows:

Now, when I was in Philadelphia, Tuesday, November 6, and was in the office of Scofield, Mason, & Co., it seems Mr. Talbot found I was there. He accordingly hurried off and swore out a warrant for my arrest (I think on the charge of fraud, though of this I am not certain); so, when I went to leave Scofield, Mason, & Co., there was a police officer standing on the corner. He wanted to know if I was from Detroit. I told him "yes," and he said that he wanted me. I demanded to see the warrant for my arrest, and he said he had none. Then I refused to stay, and he held me by force. We then went back to the office of Scofield, Mason, & Co., and in the presence of three witnesses I demanded of the officer if he had a warrant for my arrest. He acknowledged that he had not, but that he had orders to detain me. Then I refused to stay with him, and he barred the door in order not to allow me to leave the office, or, in other words, he took me a prisoner. He acknowledged before all the people present that he had no warrant, but still he held me.

Mr. Cooper then wrote:

Will you be kind enough to inform me whether, if the above statement of my client is proved, it would be any ground, in your opinion, for the discharge of the officer? If not, it would of course be useless for my client to spend any time or money in bringing the officer up for trial, and for this reason I desire to have your opinion beforehand.

To this the director replied:

The question of the guilt or innocence of an officer charged with an offence is, under act of assembly of June 1, 1885, passed upon by the police court. I am therefore unable to answer the question propounded by you.

Under date of December 21, as the result of further correspondence, the director wrote that he would order the officer up for trial at a time suited to Mr. Wadsworth's convenience. The latter is expected to be in the city some time in February or March, and it is the intention of Mr. Cooper, first, to prove that his client was innocent of the charge upon which the warrant was based, and, second, to take such action as will result in punishment for the officer who, Mr. Cooper maintains, so flagrantly exceeded his authority.

It is possible also that Mr. Cooper's case may attract attention to the wholesale arrests that result from raids, when scores of persons for whom no warrants have been taken out are bundled into patrol wagons and driven to police stations. Although no less than three judges have announced in the most emphatic language that it is a violation of the rights guaranteed a citizen by the federal and State constitutions to arrest him without a warrant, nevertheless these wholesale raids, especially on "speak-easies," continue, and citizens found therein are invariably arrested along with the proprietors for whom warrants are taken out.

In addressing a jury in the case of William Fox, of 609 North Front street, arrested for selling liquor without a license and on Sunday, after referring to the fact that Herman Hofrick, a boarder, was "pulled" with Fox, the judge said: "When an officer has a warrant for an offender, it is an outrage to take the other men in the house. A citizen has a right to be free from arrest if he behaves himself. I want the police officers to understand that, if they continue this sort of thing, they will be sued, and will have to pay pretty heavy damages. There is an honest and fair way of making an arrest, and there is a wrong way — a tyrannical way — of doing it." He then directed the jury to acquit Fox.

The habit of getting a warrant for a "speak-easy" proprietor and holding it for several days, or even weeks, until a crowd can be scooped in, has existed in the police department for years. The police have shown no desire to respect the decision of Judge Arnold, which was reinforced by similar decisions by Judges Biddle and Allison.

M'Cready's Prophecy Verified.

[W. W. Gordak in Twentieth Century.]

When so many States accepted the Australian ballot system, labor set up a yell of triumph. Henry George came to Boston and reported back how beautifully the thing worked. M'Cready shook his head. "You cannot expect much from law," he said. "Worse methods of bribery and intimidation will be the result." And sure enough. The little casual local cases of corruption pale into nothingness beside the astonishing spectacle of bribery and intimidation *by wholesale*. And, strange to say, the Australian ballot is a direct help in this business, being a perfect screen for the men touched by such methods.

Within the past year Congressman Morse, of Massachusetts, sent out a circular declaring that nothing in the shape of an increase in pensions could be expected under a Democratic administration. "Wait till the Republicans are on top," he said, significantly. What plainer hint could men want in order to see that there was money in it? And, as for intimidation, the papers have been full of it for the past two years. "Low wages, or no wages, so long as free trade rules at Washington," said the Republican campaign posters. And it is safe to remark that nearly every protected monopolist in the whole country threatened his employees, directly or indirectly, with low wages or no wages, in the case of a Republican defeat.

Parallel Cases.

[W. B. in Fort Madison Chronicle.]

Some woman recently began criminal proceedings against a saloon-keeper, charging him with having sold or given to her husband strong drink on Sunday, and made him drunk "and caused her pain and anguish." The latter is one of those funny legal expressions which lawyers delight in; but, supposing the man, drunk or sober, had caused her pain and anguish by means of a walking-stick, would she have commenced criminal prosecution against the store-keeper who sold or gave him that cane?

Anarchist Letter-Writing Corps.

The Secretary wants every reader of Liberty to send in his name for enrolment. Those who do so thereby pledge themselves to write, when possible, a letter every fortnight, on Anarchism or kindred subjects, to the "target" assigned in Liberty for that fortnight, and to notify the secretary promptly in case of any failure to write to a target (which it is hoped will not often occur), or in case of temporary or permanent withdrawal from the work of the Corps. All, whether members or not, are asked to lose no opportunity of informing the secretary of suitable targets. Address, STEPHEN T. BYINGTON, 38 Council Hall, Oberlin, Ohio.

Two members of the Corps, in sending me the report I asked for a month ago, have suggested that they would let me know by postal card in case of failure to write to a target, rather than have the trouble of keeping a memorandum and reporting from time to time. One of them added that he thought that this would be an easier and better arrangement for the members in general. I think so, too, and have inserted it as part of the pledge, as will be seen above. I shall expect every member hereafter to report promptly every failure in writing to a target, till further notice.

I recognize that this altering of my members' pledges without their previous consent is rather a high-handed proceeding on my part, but I suppose that it will give us a satisfactory understanding sooner, and with less trouble to the members generally, than if I called for a vote of the Corps, or asked for another postal from those who were willing to change their pledges. If any member wishes to make my arbitrariness in this matter a reason for protesting or for withdrawing from the Corps, he may write me to that effect, and I will refund his postage if he asks it. I shall be willing to have a special understanding with any member who would find the new plan especially inconvenient; but I shall assume every member's consent to the new form of pledge till I hear to the contrary. If members generally protest, of course I will make changes to suit them; only it is clear that, unless I can be sure that my members practically never miss fire, I must have some way of knowing how often they miss. This way now seems to me, as well as to these other members, better than what I proposed before.

I am a little surprised to find that, of those who have thus far reported, I am the only one who does not remember failing to write to a single target assigned him.

I have no desire to be turning members out of the Corps while I am spending so much ink in trying to get others in, but I do not see my way clear to keep on the roll those who do not send a report when it is asked for. How do I know but you are dead? Less than half of those who were on the roll previous to December 1, from whom reports were asked, have sent them in. The delinquent list includes a few whom I recognize as probably dead wood and a good riddance, but it also includes some of whom I can hardly believe that they intend to drop the work. Send in your reports.

My mail for the past fortnight has been interesting. Here is one letter:

"I see by last Liberty you desire a report of all the members of the A. L. W. C. I was about to let the request go by default, but — a wind has blown a little good — and so I comply. I believe I have written to all targets with the exception of three or four. My case is unlike any of those you advise. What would you say to the man who was willing, had leisure, but was unable to furnish the stamps? I have heard, I believe, from only three of the letters I have written. In one case the editor sent me a sample copy. Another wrote thanking me, and expressed a desire to farther study the philosophy. I sent him a copy of Liberty and a bundle of editorials and other matter I believed would help him. Again, Mr. O'Loughlin, of the 'Twentieth Century,' wrote me a note complimenting a letter from my pen he had read in 'Kate Field's Washington.' In conclusion, let me say the propaganda of liberty is a labor of love. My one regret is that I am too poor to enter its field as my pleasure would dictate. It found me poor, and, alas! I fear it has kept me so."

What would I say? I would say it was a great pity that such a person, one of our most effective writers, one who was active in the letter-writing propaganda before the Corps was started, should be hindered for lack of stamps or stationery. Cannot some one undertake to keep this man supplied with all the stamps he can use in the work of the Corps, if not with all he can use in Anarchist propaganda of any kind?

Of course it is understood that we do not hear of all the letters we have printed. This man has not seen his letter which I saw printed in the "Home Advocate," and I had not known that "Kate Field's Washington" printed any of our work.

Another letter begins thus: "Your open letter in No. 52 of Liberty is addressed to me as a reader of Liberty, and I take the liberty to offer a few remarks. You appear to presume that every reader of Liberty is an Anarchist, and at once a valiant and intelligent quill-slinger in the cause of Anarchy. Now, while I enjoy reading Liberty, I am neither Anarchist nor essayist." This leads me to write

To the man who does not join the A. L. W. C. because he is not ready to count himself definitely on the Anarchist side.

DEAR SIR, — If you do not clearly understand what the essential Anarchist ideas are, you are not wanted in the Corps. This country is not suffering for lack of confused and unreliable information about Anarchism.

If you are not willing to make clear and correct statements about Anarchism, you are not wanted. There are lies enough about Anarchism afloat already.

If you think Anarchism a subject of small importance, and see no use in spreading its doctrines, I can offer you no motive for joining us.

But if you know what the principles of Anarchism are, and how Anarchists propose to apply them to the fundamental points of society, and, recognizing the importance of the subject and the harm which misunderstandings must do to all honest parties, are willing to help in spreading a correct statement of our position, with such reasons for or against it as you can honestly give, — then I shall be glad of your service, even if you are a declared opponent of Anarchism. Much more do I want you if you recognize the soundness of the Anarchist position on some important points, like money, while opposing us on others.

I know that there are many who think they understand Anarchism when they don't. I have no special desire to get such into the Corps. Nevertheless, if you have got your ideas from a careful reading of Liberty for some time, and if they seem clear to you, I think the probability of your being able to tell the truth is enough to justify me in welcoming you to our membership. We have good members, but *we need more members badly*. This little Corps is undertaking to instruct all North America. How long will it take, with only three sections?

Target, section A. — Rev. W. P. F. Ferguson, Whitesboro, N. Y., an active Prohibitionist, once told me that he was ready to believe there might be good in Anarchism, but had never investigated it. Show him what the good is, urge study, recommend our literature.

Sections B and C. — Bolton Hall, 46 W. 19th St., New York City. (This address, he says, reaches him more directly than the one given before.) He has had only two letters, and wants more. Remember, he prints letters on no subject but taxation, but on all aspects of that subject, except tariff; tariff is ruled out. He writes as if he wanted a lot of letters. Let him have them.

STEPHEN T. BYINGTON.